

ESTTA Tracking number: **ESTTA38230**

Filing date: **07/11/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

<b>Proceeding</b>	91150298
<b>Party</b>	Plaintiff BAXTER INTERNATIONAL INC. ,
<b>Correspondence Address</b>	LYNN A. SULLIVAN & ELIZABETH C DISKIN LEYDIG, VOIT & MAYER, LTD. TWO PRUDENTIAL PLAZA, SUITE 4900 CHICAGO, IL 60601
<b>Submission</b>	Motion to Suspend for Settlement Discussions
<b>Filer's Name</b>	Caroline L. Stevens
<b>Filer's e-mail</b>	cstevens@leydig.com
<b>Signature</b>	/Caroline L. Stevens/
<b>Date</b>	07/11/2005
<b>Attachments</b>	20050711152438255.pdf ( 3 pages )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Baxter International, Inc.,	)	Opposition No.: 91/150,298
	)	
Opposer,	)	
	)	
v.	)	Serial No.: 76/151,380
	)	
Inviro Medical Devices Ltd.,	)	
	)	
Applicant.	)	
	)	

**CONSENTED MOTION FOR THREE-MONTH SUSPENSION**

Opposer, Baxter International, Inc. ("Opposer"), hereby moves to suspend the above-captioned opposition (the "Opposition") for three months. The Opposition may be suspended, for good cause, upon motion or stipulation of the parties approved by the Board. 37 C.F.R. §2.117(c). The parties in this Opposition have good cause to suspend the Opposition, as certain phases of the Opposition have been protracted due to scheduling conflicts, the unavailability of witnesses, and settlement discussions. At this time, the parties are likely to engage in further settlement discussions. Consequently, the parties agree that the Opposition should be suspended for three months. Counsel for Applicant consented to this motion in a telephone conversation with the undersigned on July 11, 2005. For the foregoing reasons, Opposer respectfully requests that the Board grant this Motion for Three-Month Suspension.

Dated: July 11, 2005


LEYDIG VOIT & MAYER, LTD.

By: Caroline Stevens  
Mark J. Liss #6181002  
Caroline L. Stevens #6274252  
Two Prudential Plaza, Suite 4900  
Chicago, Illinois 60601  
Attorneys for Opposer  
American Century Services Corporation

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of "Consented Motion For Three-Month Extension" is being filed electronically on the date indicated below to the Trademark Trial and Appeal Board.


Dated: July 11, 2005

  
\_\_\_\_\_  
Caroline L. Stevens

**CERTIFICATE OF SERVICE TO APPLICANT**

I HEREBY CERTIFY that a true and correct copy of "Consented Motion For Three-Month Extension" was served electronically on counsel for Applicant, Duane Byers, at dmb@nixonvan.com on the date indicated below. During a telephone conversation on June 29, 2005 between counsel for Opposer and Mr. Byers, Mr. Byers requested that service be effected electronically.

Dated: July 11, 2005

  
Caroline L. Stevens

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